**THE HONOUABLE SRI JUSTICE C.V.RAMULU**

**WRIT PETITION No.135 of 2000**

Between:

Matta Babji. ..
PETITIONER

and

The Revenue Divisional Officer, and others.
..
RESPONDENTS

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**ORDER:**

This writ petition is filed seeking Writ of Mandamus declaring the action of the 4th respondent, through his orders, dated 24-12-1999 and 28-12-1999, wherein the fair-price shop dealership authorisation of the 3rd respondent was restored.

It is the case of the petitioner that the fair-price shop dealership authorization issued against the 3rd respondent was suspended. Aggrieved by the same, he filed an appeal before the Joint Collector and further a revision before the Collector, in which the order passed by the learned Revenue Divisional Officer was confirmed. In view of that, a notification was issued inviting the applications for appointment of fair-price shop dealer on a permanent basis in respect of fair price shop No.20 of Ravulapadu village and on application made by the petitioner, he was appointed as a permanent fair-price shop dealer. However, the 3rd respondent filed W.P.No.12105 of 1987 and the same was allowed on 10-12-1991. In view of the same, the authorization of the 3rd respondent was restored against shop No.20 by an order of the Revenue Divisional Officer, Amalapuram, dated 25-06-1993. The very impugned proceedings are passed pursuant to the directions of this court in W.P.No.12105 of 1987, dated 10-12-1991. Any interference made into the impugned orders would amount to circumvent the orders passed by this court in W.P.No.12105 of 1987, dated 10-12-1991. Therefore, I am of the opinion that the authorities have not committed any error in passing such impugned orders.

However, the learned counsel for the petitioner submits that

now there is an increase in the allotment of cards to this particular shop and the authorities are intending to bifurcate the shop.

If any bifurcation is taken, the authorities may be directed to consider the candidature of the petitioner for being appointed as a fair-price shop dealer against such bifurcation. In this regard, the petitioner is at liberty to make a representation and it is for the authorities to consider the same as per law.

With the above direction, the writ petition is dismissed. No order as to costs.

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06-06-2006

Prv